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Attorney's Docket 061069-0308250
Client Reference: SPO-2574

OCT 28 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:
KIMHIKO NISHIOKA ET AL.

Confirmation No: 8542

Application No.: 10/775,340

Group Art Unit: 2873

Filed: February 11, 2004

Examiner: LESTER, Evelyn A.

Title: OPTICAL APPARATUS

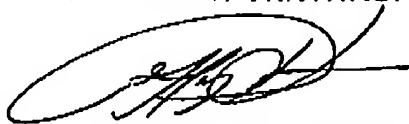
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PILLSBURY WINTHROP SHAW PITTMAN LLP



JEFFREY D. KARCESKI
Reg. No. 35914

Date: October 28, 2005
P.O. Box 10500
McLean, VA 22102
Telephone: (703) 905-2000
Facsimile: (703) 905-2500

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RESPONSE TO RESTRICTION REQUIREMENT

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Alexandria, VA 22314

Sir:

In response to the Office Action dated September 30, 2005, the due date for response to which is October 30, 2005, Applicants elect to pursue the invention of Group I for further prosecution, without traverse. Group I encompasses claims 1-11 and 13-31 drawn to an optical apparatus with a variable optical property element.

Applicants reserve the right to pursue the non-elected claims in a divisional application.

Respectfully submitted,

PILLSBURY WINTHROP SHAW PITTMAN LLP


JEFFREY D. KARCESKI

Reg. No. 35914

Tel. No. 703 770.7510

Fax No. 703 770.7901

Date: October 28, 2005
P.O. Box 10500
McLean, VA 22102
(703) 770-7900

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